

**BOARD OF FUNERAL DIRECTORS AND EMBALMERS  
MINUTES OF GENERAL BOARD MEETING**

**Wednesday, June 10, 1998  
6606 West Broad Street  
Richmond, Virginia 23230-1717  
Conference Room 2**

**Department of Health Professions**

**CALL TO ORDER:** A meeting of the Virginia Board of Funeral Directors and Embalmers was called to order at 9:10 a.m.

**PRESIDING:** Robert (Bob) Oman, President

**MEMBERS PRESENT:** Fenton L. Bland, Jr.  
Charles M. Bristow, Jr.  
Dr. Roger M. Collier  
W. Kenneth Fields  
Bobby L. Gardner, Sr.  
Marcietta Glenn  
Charles Reynolds  
David Vanover

**MEMBERS ABSENT:** None

**STAFF PRESENT:** Elizabeth Young Tisdale, Executive Director  
Cheri Emma-Leigh, Administrative Staff Assistant

**COUNSEL PRESENT:** Roscoe Roberts, Assistant Attorney General

**QUORUM:** With nine members of the Board present, a quorum was established.

**APPROVAL OF AGENDA** On a properly seconded motion by Mr. Bristow, the Board moved to accept the Agenda with the additions of adding two executive sessions to discuss legal matters, and discussion of July 1, 1998 Board Meeting in Roanoke.

**PUBLIC COMMENT:** None.

**APPROVAL OF MINUTES** On a properly seconded motion by Mr. Bristow, the Board moved to accept the Minutes of the Special Conference Committee Meeting of March 10, 1998.

On a properly seconded motion by Mr. Bland, the Board moved to accept the Minutes of the General Board Meeting of March 11, 1998.

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The Minutes of the Regulatory and By-Laws Committee Meeting of May 27, 1998 will be presented at the July 1, 1998 meeting.

On a properly seconded motion by Mr. Reynolds, the Board moved to accept the minutes of the Task Force Resident Trainee Program and Examination Committee Meeting of May 13, 1998.

**NEW BUSINESS:**

**Executive Session:**

On a properly seconded motion by Mr. Bristow, the Board voted 9-0 in favor of the motion, to enter into executive session pursuant to § 2.1-344 (A) (15) of the Code of Virginia to consult with counsel.

**Reconvene:**

On a properly seconded motion by Mr. Bristow, the Board voted 9-0 in favor of the motion, that only public business matters lawfully exempted from open meeting requirements under Virginia law were discussed in the executive session and only public business matters as were identified in the motion convening the executive session were heard, discussed or considered by the Board.

The Board reconvened in open session pursuant to § 2.1-344.1(D) of the Code.

**Staff Request to Grant Hardship Waivers:** Elizabeth Tisdale requested that staff have authority to grant hardship waivers after the Special Conference Committee reviews applications and recommends approval. On a properly seconded motion by Mr. Bristow to approve this request, the board voted 9-0 in favor of the motion.

**Request For Interpretation: 1-800-Funeral:** The Board reviewed information concerning a new marketing product called "1-800-FUNERAL" wherein for a fee, any caller to 1-800-FUNERAL would be referred to a participating firm. A representative of 1-800-FUNERAL will be attending the VFDA conference in Roanoke and the Board will extend an invitation for this person to attend the Board meeting on July 1, 1998. After discussion, and on a properly seconded motion by Dr. Collier, the Board moved to make the following statement:

It is the view of this Board that to engage for a fee, referral

services, is a violation of § 54.1-2806(6) of the Code of Virginia which prohibits "steerers." As the Board obtains further information on individual corporations, we will consider legality of these companies.

**Certificate of Death - Division of Vital Records:** The Board has concerns regarding who has authority to sign death certificates. This is an issue belonging to Department of Health - Vital Records. On a properly seconded motion by Mr. Bland, the Board moved to refer this to the Legislative Committee and invite Deborah Little-Bowser, Vital Records, to attend the meeting to discuss these issues.

**Memorandum of Understanding:** Elizabeth Tisdale distributed copies of the Memorandum of Understanding signed between the Virginia Department of Agriculture and Consumer Services and the Board of Funeral Directors and Embalmers.

**Resident Trainee Task Force Committee:** Mr. Bland gave an overview of issues discussed in the meeting of May 13, 1998.

**Ratification of Consent Order - Joseph Walton:** On a properly seconded motion by Mr. Vanover, the Board moved to accept the Consent Order that releases Joseph Walton from probation.

**Board Approval of Forms:** Elizabeth Tisdale requested that staff no longer be required to review forms due to lack of regulatory and statutory authority. On a properly seconded motion by Mr. Bristow, the Board moved to accept this request.

**Election of New Officers:** On a properly seconded motion by Mr. Bland, the Board unanimously agreed to elect Charles M. Bristow, Jr. as President. On a properly seconded motion by Mr. Bristow, the Board unanimously agreed to elect Fenton Bland as Vice-President. On a properly seconded motion by Mr. Vanover, the Board unanimously agreed to elect Charles R. Reynolds as Secretary-Treasurer.

**Retreat:** The Board is planning to hold a retreat in late September or early October.

**OLD BUSINESS:**

**Regulations of Cemeteries:** Elizabeth Tisdale explained

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that the Department of Professional and Occupational Regulations is requesting public comment on proposed regulations for cemeteries. On a properly seconded motion by Mr. Bristow, the Board moved to refer this issue to the Regulatory Committee.

**Request for Interpretation of Casket Stores:** Mr. Bill Pittman, a consumer, spoke briefly concerning the sale of caskets in Virginia and asked the Board for an interpretation. On a properly seconded Motion by Mr. Bland, the Board moved to make the following statement:

This Board does not have a problem with casket stores providing the sale of caskets as long as they are licensed as an establishment or branch of an establishment and abide by the same laws and regulations as a licensee.

**Upcoming Meetings:**

July 1, 1998 (Roanoke)  
September 16, 1998  
January 6, 1999  
April 7, 1999  
June 9, 1999

**Executive Director's Report:** Ms. Tisdale distributed statistics on licensees and disciplinary cases.

**ADJOURNMENT**

With all business concluded, the Committee adjourned at 1:00 p.m.

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Robert Oman, President

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Elizabeth Y. Tisdale, Executive Director

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Date

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Date